



Promoting the wise use of land
Helping build great communities

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

5-1

SUBDIVISION REVIEW BOARD

MEETING DATE October 3, 2005	CONTACT/PHONE Brian Pedrotti 788-2788	APPLICANT Mark Daniels	FILE NO. CO 04-209 SUB2004-00046
SUBJECT A request by Mark Daniels for a Vesting Tentative Parcel Map to allow subdivision of two approximately ten acre parcels into four parcels of five acres each for the purpose of sale and/or development. The project will result in the disturbance of approximately 0.70 acres, and the division will create one on-site road. The project is in the Residential Rural land use category and is located on the northwest and northeast corners of Zenon Way and Halcyon Road at 512 Zenon Way and 1975 Viejo Road, northeast of the village of Palo Mesa, in the South County (Inland) planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 04-209 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on August 1, 2005 for this project. Mitigation measures are proposed to address air quality, biological resources, public services/utilities, recreation, transportation/circulation, and water and are included as conditions of approval.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 075-232-016 & 091-063-002	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Sec. 22.112.020 & 22.112.040 – South County Areawide and Rural Area (Areawide and Residential Rural Standards)			
LAND USE ORDINANCE STANDARDS: Sec. 22.22.06 – Residential Rural Subdivision Design			
EXISTING USES: Single-family residence, two mobile homes, two outbuildings, barn			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Rural / single-family residence East: Residential Rural / single-family residence South: Residential Rural / single-family residence West: Residential Rural / single-family residence			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Group, Public Works, Environmental Health, Ag Commissioner, County Parks, CDF, Nipomo Community Services District, APCD, Cal Trans, City of Arroyo Grande	
TOPOGRAPHY: Nearly level to moderately sloping	VEGETATION: Grasses, coast live oak trees
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: November 29, 2004

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.060 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The standards are based on the distance from an urban areas, fire response time, type of access serving the property and the topography of the site. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 5 acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Remoteness	2.5 miles from the Nipomo urban reserve line	5 acres
Fire Hazard/ Response Time	Within the 15 minute response time In the high fire hazard area	5 acres
Access	Located on a 60 foot right-of-way as conditioned	5 acres
Slope	Average slope is between 0 and 15 %	5 acres

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

County Ordinance 2529 establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

Road Improvements

This application was reviewed in detail by both Public Works and Planning and Building relative to access and circulation requirements for the area. This is in response to the potential for further divisions and development in the site vicinity. As a result of this review, both an offer of

dedication and road improvements are recommended as a means of providing appropriate access and circulation for this area.

PLANNING AREA STANDARDS:

Section 22.12.020 Areawide Standards

22.12.020.A.1 – Groundwater recharge areas: New development shall be located to preserve existing natural drainage areas and incorporate natural drainage systems.

22.12.020.C – Circulation Planning:

1. Land divisions shall provide offers of dedication for public streets, bikeways and pathways.
2. Gross acreage may be utilized to calculate the allowable number of parcels.
3. Traffic noise mitigation required in the form of setbacks/open space, site layout, earthen berms, or structural measures, in that order of priority.
4. Transit-oriented standards.

As conditioned, the project meets these standards. The properties are of sufficient size to provide on-site natural drainage and groundwater recharge. Halcyon Road, Zenon Way, and Viejo Road will be dedicated to county standards, which provide sufficient width for street and pathway improvements, including a trail easement along the west side of Zenon Way. No significant noise impacts are anticipated with the project, and no transit-oriented standards are required with a project of this size.

Section 22.112.040 Rural Areawide Standards

22.12.040.A.1 – Circulation:

1. New land divisions shall provide for circulation linkages
2. New land division shall include design for combined driveways and private access roads where possible.
3. New land divisions shall provide where feasible equestrian, pedestrian and bike paths.
4. Road alignments shall be designed to minimize terrain disturbance, with erosion control measures.

As proposed and conditioned, the project meets these standards. Halcyon Road, Zenon Way, and Viejo Road will be dedicated to county road standards, which provide sufficient width for street and pathway improvements, including a trail easement along the west side of Zenon Way. The site is nearly level to moderately sloping, and the road alignments are existing.

Section 22.112.040 Residential Rural Standards

22.12.040.F.1 – Areawide:

1. Provide dedication of land for road right-of-way for separate pathway, as determined to be feasible by Public Works using gross acreage in calculating allowable density.
2. Curvilinear roads – Road alignments shall respond to natural land forms, be slightly curvilinear, and provide alternate routes of travel.
3. Setbacks – Provide an 80-foot front setback.
4. Varied lot pattern and geometry – Design parcels to have varied front dimension responding to natural topography.
5. Landscaping – Retain and incorporate existing vegetation as much as feasible.
6. Siting of buildings – Locate building envelopes that are subordinate to rural character, varying their elevation along hills and ridges.

As proposed and conditioned, the project meets these standards. Halcyon Road, Zenon Way, and Viejo Road will be dedicated to county road standards, which provide sufficient width for street and pathway improvements, including a trail easement along the west side of Zenon Way. In conjunction with the existing topography and road alignments, the project meets these standards where feasible. Conditions have also been included to retain existing vegetation where possible, as well as implementation of an Oak Tree Inventory and Mitigation Plan.

COMMUNITY ADVISORY GROUP COMMENTS: Recommends approval of project on condition that Zenon Way be paved and horse trails be included on dedicated portion of roads

AGENCY REVIEW:

Public Works – Recommend approval with conditions.

Environmental Health - Preliminary evidence of water and ability to serve by septic. Well driller report, pump testing, and water quality test required prior to recordation of final map.

County Parks – Pay Quimby fees and Building Division fees. Provide a trail corridor along Zenon Way consistent with A-1(x) detached trail standard. Trail construction is not required.

CDF - See attached fire safety letter dated August 27, 2004.

APCD – Project is inconsistent with Clean Air Plan (see attached letter dated August 23, 2004).

City of Arroyo Grande – Pay traffic and fire impact fees to both County and City of Arroyo Grande.

LEGAL LOT STATUS:

The two lots were legally created by a recorded map at a time when that was a legal method of creating lots.

FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on August 1, 2005 for this project. Mitigation measures are proposed to address air quality, biological resources, public services/utilities, recreation, transportation/circulation, and water and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Rural land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single-family residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is of limited size and scope and is not located in close proximity to significant wildlife habitat.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.
- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

EXHIBIT B

CONDITIONS OF APPROVAL FOR CO 04-209

Approved Project

1. A Vesting Tentative Parcel Map to allow subdivision of two approximately ten acre parcels into four parcels of five acres each for the purpose of sale and/or development. The project will result in the disturbance of approximately 0.70 acres, and the division will create one on-site road

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:
 - a. Viejo Road fronting the property constructed to a 2/3 A-7(C) section within a 40 foot dedicated right-of-way.
 - b. Zenon Way fronting the property constructed to an A-1 section within a 50 foot dedicated right-of-way (only where Zenon Way fronts Lot 1, improvements may be 2/3 A-1, minimum paved width of 18 feet within 40 foot dedicated right-of-way).
 - c. Halcyon Road widened to complete an A-1 section fronting the property.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
 - a. A 20 foot radius property line return at the intersection of all streets.
 - b. A trail easement along the west side of Zenon Road to the County's A-1(x) standard subject to the review and approval of the County Parks Division. Construction is **not** required as part of this condition.
4. All mitigation measures related to tree removal and/or impacts shall also be implemented during grading and construction of road improvements.

Improvement Plans

5. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.

6. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
7. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

8. Submit complete drainage calculations to the Department of Public Works for review and approval.
9. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
10. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

Wastewater Disposal

11. Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system.

Utilities

12. Electric and telephone lines shall be installed underground or overhead.
13. Cable T.V. conduits shall be installed in the street.
14. Gas lines shall be installed.

Design

15. The lot area of all lots shall contain a minimum area of 5.0 acres gross and 4.5 acres net exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22.22.030/23.04.021).

Fire Protection

16. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
17. **Prior to final map recordation**, the project shall comply with the Fire Safety Plan from CDF dated August 27, 2004, including all access requirements.

Parks and Recreation (Quimby) Fees

18. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

19. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Easements

20. **Prior to map recordation**, the applicant shall enter into an open space easement with the County in perpetuity for the areas specified on attached Exhibit C (100-foot wide area on Parcel 2 located 50 feet west of Zenon Way and 50 feet north of Halcyon Road). **The easement shall be shown on all project plans.** The intent of the open space easement is primarily to protect the existing coast live oak trees and allow reestablishment of sensitive native understory. All allowed activities or uses within this open space area shall be limited to what is specified in the easement, and shall be passive in nature and not adversely impact the identified sensitive biological resources. All hooved animals (grazing) shall be excluded from these areas (sturdy fencing shall be installed as necessary to protect sensitive areas). To avoid potential modification or removal of sensitive vegetation for fire protection, all applicable structures shall be setback from the edge of the open space easement area the distance recommended by CDF. This setback shall be **shown on all applicable future construction plans.**
21. **Prior to recordation of the final map**, the applicant shall submit an official well driller's report (construction log), well capacity testing, and water quality testing to the County Department of Environmental Health for review and approval. The applicant shall

consult with the County Department of Environmental Health regarding approval of a shared well system.

Additional Map Sheet

22. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
 - b. **Prior to issuance of construction permits for development and soil disturbance (including roads)**, the applicant shall contact the APCD to determine applicability of air quality regulations for the project site regarding developmental burning and naturally occurring asbestos. The applicant shall submit an asbestos survey prepared by a qualified individual if required by the APCD. Contact Melissa Guise of the San Luis Obispo County APCD at 781-4667.
 - c. **Prior to issuance of construction permits**, the applicant shall clearly show on the project plans the type and location of tree protection measures to be employed. All trees to remain on or off-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas when possible. During grading in the root zone, care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
 - d. The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.
 - e. **Prior to issuance of construction permits**, the *Oak Tree Inventory and Mitigation Plan* (Althouse and Meade; October 2004) shall be revised to provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the

development of the project (11 removed, forty-four replaced), and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed (thirty-nine impacted, seventy-eight replaced). No additional oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than thirty-nine oak trees shall be impacted, but not removed, as a result of the development of the project. The plan shall be further revised to require monitoring of replacement areas for at least seven years.

- f. To guarantee the success of the new trees, the applicant shall adhere to the *Oak Tree Inventory and Mitigation Plan* (Althouse and Meade; October 2004), revised as required in BR-3. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.
- g. **Throughout the life of the project**, there shall be no cutting, alteration or disturbance of the open space easement or oak tree replanting area, with the exception of site preparation and weeding within the oak tree replanting area under direction of a qualified restoration specialist. Future development on Parcel 1 (remodeling, additions, secondary structures, etc) shall be restricted to existing disturbed areas and no oak tree impacts or removals shall occur.
- h. **If grading and construction activities occur during the nesting season (March 1 through September 1)**, to avoid impacts to nesting birds, the applicant shall retain a County-approved qualified biologist to conduct nesting bird surveys immediately prior to site disturbance. If nesting birds are discovered, all construction activity within a 500-foot buffer for listed bird species nests and a 100-foot buffer for other non-listed bird nests shall halt until the chicks have fledged or left the area.
- i. **Prior to issuance of building permits for development on the proposed parcels**, proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

Covenants, Conditions and Restrictions

- 23. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
 - a. On-going maintenance of drainage basin / adjacent landscaping in a viable condition on a continuing basis into perpetuity.

- b. Maintenance of all local streets within the subdivision until acceptance by a public agency.
- c. **Prior to issuance of construction permits for development and soil disturbance (including roads)**, the applicant shall contact the APCD to determine applicability of air quality regulations for the project site regarding developmental burning and naturally occurring asbestos. The applicant shall submit an asbestos survey prepared by a qualified individual if required by the APCD. Contact Melissa Guise of the San Luis Obispo County APCD at 781-4667.
- d. **Prior to issuance of construction permits**, the applicant shall clearly show on the project plans the type and location of tree protection measures to be employed. All trees to remain on or off-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas when possible. During grading in the root zone, care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
- e. The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.
- f. **Prior to issuance of construction permits**, the *Oak Tree Inventory and Mitigation Plan* (Althouse and Meade; October 2004) shall be revised to provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project (11 removed, forty-four replaced), and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed (thirty-nine impacted, seventy-eight replaced). No additional oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than thirty-nine oak trees shall be impacted, but not removed, as a result of the development of the project. The plan shall be further revised to require monitoring of replacement areas for at least seven years.

- g. To guarantee the success of the new trees, the applicant shall adhere to the *Oak Tree Inventory and Mitigation Plan* (Althouse and Meade; October 2004), revised as required in BR-3. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.
- h. **Throughout the life of the project**, there shall be no cutting, alteration or disturbance of the open space easement or oak tree replanting area, with the exception of site preparation and weeding within the oak tree replanting area under direction of a qualified restoration specialist. Future development on Parcel 1 (remodeling, additions, secondary structures, etc) shall be restricted to existing disturbed areas and no oak tree impacts or removals shall occur.
- i. **If grading and construction activities occur during the nesting season (March 1 through September 1)**, to avoid impacts to nesting birds, the applicant shall retain a County-approved qualified biologist to conduct nesting bird surveys immediately prior to site disturbance. If nesting birds are discovered, all construction activity within a 500-foot buffer for listed bird species nests and a 100-foot buffer for other non-listed bird nests shall halt until the chicks have fledged or left the area.
- j. **Prior to issuance of building permits for development on the proposed parcels**, proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

Miscellaneous

- 24. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 25. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING INDIVIDUAL WELLS AND SEPTIC TANKS

1. Each parcel shall have its own private well(s) for a domestic water supply approved by the county Health Department, except as set forth in 2C.
2. Operable water facilities shall exist prior to the filing of the final parcel map. Evidence of adequate and potable water, shall be submitted to the county Health Department, including the following:
 - A. (Potability) A complete on-site chemical analysis shall be submitted for evaluation for each of the parcels created or as required.
 - B. (Adequacy) On individual parcel wells or test holes, a minimum four (4) hour pump test performed by a licensed and bonded well driller or pump testing business shall be submitted for review and approval for each of the new parcels created.
 - C. If the applicant desires purveying water to two (2) or more parcels or an average of 25 or more residents or non-residents (employees, campers, etc.) on a daily basis at least sixty (60) days out of the year, application shall be made to the county Health Department for a domestic water supply permit prior to the filing of the final map. A bond may be used for operable water facilities (except well(s)). Necessary legal agreements, restrictions and registered civil engineer designed plans, in conformance with state and county laws and standards shall be submitted by the applicant and reviewed and approved by County Public Works and the county Health Department, prior to the filing of the final map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.
6. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning Department for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for

- each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.
7. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
 8. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
 9. Any existing reservoir or drainage swale on the property shall be delineated on the map.
 10. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
 11. Required public utility easements shall be shown on the map.
 12. Approved street names shall be shown on the map.
 13. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
 14. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
 15. Any private easements on the property shall be shown on the map with recording data.
 16. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
 17. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
 18. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
 19. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (BP)

ENVIRONMENTAL DETERMINATION NO. ED04-265

DATE: July 28, 2005

PROJECT/ENTITLEMENT: Daniels Parcel Map SUB2004-00046

APPLICANT NAME: Mark Daniels

ADDRESS: PO Box 297, Pismo Beach, CA, 93449

CONTACT PERSON: EDA Design Professionals

Telephone: 549-8658

PROPOSED USES/INTENT: Request by Mark Daniels to subdivide two approximately ten acre parcels into four parcels of five acres each for the purpose of sale and/or development. The project will result in the disturbance of approximately 0.70 acres, and the division will create one on-site road.

LOCATION: The project is located on the northwest and northeast corners of Zenon Way and Halcyon Road at 512 Zenon Way and 1975 Viejo Road, northeast of the village of Palo mesa, in the South County Inland planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
 County Government Center, Rm. 310
 San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT5 p.m. on

20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
 County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency



**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Daniels Parcel Map ED04-265; SUB2004-00046 CO04-0209

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

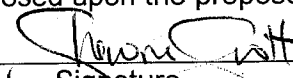
<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Morro Group, Inc.
Prepared by (Print)


Signature

07/11/05
Date

Steven McMaster
Reviewed by (Print)


Signature

Ellen Carroll,
Environmental Coordinator
(for)

8/01/05
Date

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site consists of two ten-acre parcels located north of the intersection of Zenon Way and Halcyon Road, in the South County Inland (Rural) planning area (refer to Figures 1 through 3). The project site is characterized by nearly level to moderately sloping topography vegetated with dense oak woodland (Parcel A) and ruderal grasses (Parcel B). Existing development includes a single-family residence, barn, two mobile homes, accessory structures, and associated disturbed areas. Eucalyptus trees with thick overlapping canopies border the southwestern portion of the project site. Dense tree cover blocks most views of the project site from Halcyon Road. The project site is visible from Zenon Way east of Halcyon Road and from Viejo Road.

The applicant is proposing to subdivide the project site into four approximately five-acre parcels for the purpose of sale and/or development of each parcel. Existing development includes a single-family residence on proposed Parcel 1, and a mobile home on each of Parcels 3 and 4. No improvements are proposed to these parcels. Implementation of the proposed project would result in the development of a single-family residence, driveway, and road improvements. A proposed building envelope on Parcel 2 is located in a clearing surrounded by dense oak woodland and would not be visible from public roads. The driveway would be visible from Halcyon Road. Off-site road improvements include widening Halcyon Road and Viejo Road and widening and realigning the right-of-way of Zenon Way to the east. No street lighting is proposed (refer to Figures 4 and 5).

Proposed site access and road improvements would not require removal of coast live oak trees located adjacent to existing roadways. The proposed realignment of Zenon Way avoids removing screening vegetation while accommodating for required road improvements. No significant visual impacts are expected to occur.

Mitigation/Conclusion. Existing coast live oak woodland provides significant screening of existing and proposed residential improvements. Protections measures will be required during construction (refer to Section 4, Biology). No significant aesthetics impacts are anticipated as a result of the proposed parcel map.

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project is located in the Residential Rural land use category. The soil type and class for "non-irrigated" and "irrigated" soil, as described in the Natural Resource Conservation Service (NRCS) Soil Survey, is Oceano Sand (non-irr: VI, irr: IV). Surrounding land uses include residential development, livestock grazing and horse pasturing with parcels sizes ranging from approximately five to twenty acres. No significant agricultural compatibility impacts are anticipated.

Mitigation/Conclusion. No significant loss of agricultural lands or agricultural incompatibility impacts would occur, therefore no mitigation measures are required.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expose any sensitive receptor to substantial air pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create or subject individuals to objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the District's Clean Air Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project site is located within the South Central Coast Air Basin and is nearest to the Nipomo Ralco Way Air Quality Monitoring Station. Based on the latest air monitoring station information (per the County's RMS annual report, 2004), the trend in air quality in the general area is declining slightly, where unacceptable PM10 levels were exceeded in 2003 at the Nipomo monitoring station four times out of 60 monitoring days, which is up from the previous year (two exceedances).

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

Site disturbance would occur during grading activities for the construction of road improvements, a future single-family residence and access improvements. This would result in both short-term vehicle emissions and the creation of dust during construction. Implementation of the proposed project would result in the future development of one single-family residence and one potential secondary residence. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will generate less than 10 lbs/day of emissions, which is below the threshold warranting any site-specific mitigation, however, potentially significant cumulative air quality impacts could result from the fracturing of rural land, which increases residential development in areas outside urban/village reserve lines and puts stresses on air quality, circulation, natural and physical resources and infrastructure.

In 1994, the South County Area Plan was adopted and associated EIR certified. As a part of that analysis, a cumulative assessment of the buildout impacts of the Area Plan was completed, which included the ultimate breakdown of the subject property as is currently proposed. While cumulative impacts to air quality was identified in the EIR as potentially significant and unavoidable, the findings recognized that the existing cumulative air quality mitigation program, combined with a slight improvement over the previous Area Plan would offset some of these impacts.

New residences would be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality and reduce single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements; encouraging carpooling through park-and-ride lot improvements and ridesharing advertising; promoting the use of bicycles through bike lane installation; reducing dust through limited road paving of several unpaved roads; and by providing electronic information/services locally to reduce vehicle trip lengths. In addition, the proposed project is required to comply with APCD regulations regarding developmental burning, building demolition, and naturally occurring asbestos (Melissa Guise; August 23, 2004).

Mitigation/Conclusion. Based on the above discussion, implementation of precautionary measures during site disturbance and lack of site-specific significant air quality impacts or nearby sensitive receptors, no significant air quality impacts are anticipated and no additional mitigation measures are necessary.

4. BIOLOGICAL RESOURCES - *Will the project:*

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
----------------------------	--------------------------------------	-------------------------	-------------------

4. BIOLOGICAL RESOURCES - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species or their habitats?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Sensitive Habitat. Although the project site is within a vernal pool region, the development area is nearly level, devoid of depressions or varied vegetation and the potential for vernal pool habitat to be located onsite is low.

Special-status Wildlife Species. The proposed project site is located within the range of monarch butterfly (*Danaus plexippus*) over-wintering habitat. While eucalyptus tree forest located southeast of the project site potentially provide monarch over-wintering habitat, no site disturbance is proposed near these property boundaries. The oak trees on the project site provide potential habitat for nesting birds, which are protected by California Fish and Game Code Section 3500-3516.

Special-status Plant Species. The proposed project site is located within the vicinity of several documented sensitive plant species and contains potential habitat for: Hoover's bentgrass (*Agrostis hooveri*), Kellogg's horkelia (*Horkelia cuneata* ssp. *sericea*), Nipomo Mesa lupine (*Lupinus nipomensis*), Obispo Indian Paintbrush (*Castilleja densiflora* ssp. *Obispoensis*), Pismo Clarkia (*Clarkia speciosa* ssp. *immaculata*), sand mesa manzanita (*Arctostaphylos rudis*), and Well's manzanita (*Arctostaphylos wellsii*).

Hoover's Bentgrass

Hoover's bentgrass is a California Native Plant Society (CNPS) List 1B (rare, threatened, or endangered in California and elsewhere) perennial herb. This species occurs in open chaparral and oak woodlands below 600 meters in the coastal and south coast areas of San Luis Obispo and Santa Barbara Counties. within coastal dunes and coastal scrub habitat types. The elevation range for this species is 10 to 120 meters, and the blooming period is April through August.

Kellogg's Horkelia

Kellogg's horkelia is a CNPS List 1B perennial herb. This species occurs in sandy soils of coastal scrub, chaparral, and cismontane woodland habitats. The elevation range for this species is 10 to 200 meters, and the blooming period is April through September.

Nipomo Mesa Lupine

Nipomo Mesa lupine is a Federal Endangered, California Endangered, and CNPS List 1B annual herb. This species occurs within the coastal dune habitat type. The elevation range for this species is 10 to 50 meters, and the blooming period is March through May.

Obispo Indian Paintbrush

Obispo Indian paintbrush is a CNPS List 1B annual herb. This species occurs in valley and foothill grasslands and occasional intergrades with other subspecies. The elevation range for this species is 10 to 400 meters, and the blooming period is April through May.

Pismo Clarkia

Pismo clarkia is a federally listed Endangered annual herb. This species occurs in sandy soils within chaparral, cismontane woodland and valley and foothill grassland habitat types. The elevation range for this species is 25 to 185 meters. The blooming period is May through July.

Sand Mesa Manzanita

Sand mesa manzanita is a CNPS List 1B evergreen shrub. This species occurs within chaparral and coastal scrub habitat types. The elevation range for this species is 25 to 230 meters, and the blooming period is November through February.

Well's Manzanita

Well's manzanita is a CNPS List 1B evergreen shrub. This species occurs within closed-cone coniferous forest, chaparral and sandstone habitat types. The elevation range for this species 30 to 400 meters and the blooming period is December through April.

A *Preliminary Botanical Assessment* (Althouse and Meade, Inc.; July 2004) conducted for the project site did not identify any special-status plant species on the project site. A follow-up spring survey did not identify any occurrences of special-status species within the proposed areas of disturbance or on the project site (pers. comm. Jason Dart; May 24, 2005). A single occurrence of Obispo Indian paintbrush was identified on the southern side of Halcyon Road, opposite proposed road and access improvements for Parcel 2. No site disturbance is proposed on the southern side of the road; therefore, no impacts to special-status plant species would occur.

Native or Important Vegetation. The County of San Luis Obispo considers oak woodland and individual oak trees sensitive native vegetation. Recent passage of SB1334 (Kuehl) further recognizes the importance of preserving oaks, and includes specific measures relating to tree diameter, monitoring replacement trees, and additional measures (e.g., easements). Proposed Parcel 2 is vegetated with dense coast live oak (*Quercus agrifolia*) woodland and Parcel 1 contains patchy coast live oak cover. Understory vegetation has been removed/disturbed by the grazing of a single cow kept on the property. No oak trees or other important vegetation are located on proposed Parcels 3 or 4.

Impact.

Special-status Wildlife Species. Nesting birds may be disturbed or harmed by grading activities, disruptive construction equipment noise, and increased human activity near nesting areas, resulting in a potentially significant impact.

Native or Important Vegetation. Two coast live oak trees have been removed and several have been trimmed within the proposed building area on Parcel 2. In addition, eleven trees would be removed and thirty-nine trees would be impacted by grading within the canopy and/or rootzone for proposed residential construction, access and road improvements. An *Oak Tree Inventory and Mitigation Plan* (Althouse and Meade, Inc.; October 2004) prepared for the project identified adequate replacement planting areas on-site within an approximately .41-acre area currently vegetated with ruderal grasses on proposed Parcels 3 and 4. The mitigation areas would be monitored by a qualified biologist or restoration specialist and protected in perpetuity with establishment of an open space easement/deed restriction. Also included in the plan are planting and irrigation specifications, fencing and rodent protection measures, and weed abatement procedures.

In addition to replanting of oaks, SB1334 requires that either a fee be paid into an oak

preservation/restoration fund or provide for a conservation easement. The County is currently in the process of developing a standardized process in which to provide for these alternatives. In the interim, as it applies to this project, proposed Parcel 2 is densely vegetated with mature oak woodland. With establishment of a conservation easement on a portion of the project site, the understory vegetation would have opportunity to reestablish. The west side of Parcel 2 would be adequate for a conservation easement as the proposed building area is located on the east side of the parcel. In addition, a trail corridor is mapped along the west side of Zenon Way and preservation of the existing oak woodland along with successful establishment of replacement oak trees to the east of the roadway would enhance the character of the future trail. As road improvements and trail construction would impact the trees immediately adjacent to the roadway, a one hundred-foot wide conservation easement shall be located on proposed Parcel 2, approximately 50 feet west of Zenon Way and 50 feet north of Halcyon Road (refer to Exhibit C).

Mitigation/Conclusion. The applicant has agreed to several measures to reduce potential biological resource impacts to less than significant levels. Mitigation measures include: pre-construction nesting bird surveys, oak tree protection, implementation of replacement and monitoring plans, and establishment of a conservation easement on Parcel 2. The applicant is required to replace removed oaks at a 4:1 ratio (44 replacements) and impacted oaks at a 2:1 ratio (78 replacements). Requiring a conservation area as open space with no future development, combined with the necessary tree replacement requirements to successfully reestablish oak trees would satisfy the conservation easement option provided in SB1334 for the mitigation of oak tree impacts. Future site improvements on Parcel 1 would be restricted to existing disturbed areas and no oak tree removal or impacts shall occur. Based on the above discussion and implementation of mitigation measures (refer to Exhibit B), no significant biological impacts are expected to occur, and no additional measures are necessary.

5. CULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Disturb pre-historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Disturb historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located within an area historically occupied by the Obispeño Chumash Native Americans. Several large archaeological sites are known in the project vicinity. A *Phase I Archaeological Surface Survey* was conducted on the project parcel to determine the presence of significant pre-historic resources (Thor Conway; August 26, 2004). During the field survey, no prehistoric resources were observed on the project site. No historic structures are present on the proposed project site. The underlying soils consist of older dune deposits, and are likely too young to contain significant paleontological resources.

Mitigation/Conclusion. Based on the findings of the Phase I surface survey report and lack of conditions indicative of significant cultural resources findings, it is unlikely that cultural resources would be impacted by future development of the project site.

6. GEOLOGY AND SOILS -*Will the project:*Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicable

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist-Priolo)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Change rates of soil absorption, or amount or direction of surface runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) | Include structures located on expansive soils? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) | Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) | Involve activities within the 100-year flood zone? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) | Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) | Preclude the future extraction of valuable mineral resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) | Other: _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting/Impact

Geology. The topography of the project site is nearly level to moderately sloping. The entire parcel is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate. No active faulting is known to exist on or near the subject property. The project is not potentially within a known area containing serpentine rock. There is no evidence that measures above what will already be required by ordinance or code are needed.

Drainage. The nearest surface water is located approximately 0.75 mile from the project site (Black Lake Canyon). The project site is located outside of the 100-year Flood Hazard designation. As described in the Natural Resources Conservation Service (NRCS) Soil Survey, the soils mapped for

the site are well drained. No specific measures above what will already be required by the South County Area Plan, ordinance, or code are considered necessary.

Sedimentation and Erosion. The soil type mapped for the project site is Oceano sand. As described in the NRCS Soil Survey, the soil surface erodibility is considered low and the shrink-swell characteristic is low. No specific measures above what will already be required by the South County Area Plan, ordinance, or code are considered necessary.

Mitigation/Conclusion. Future development of the project site would be subject to existing South County Planning Area Standards, local ordinance and state regulations requiring the preparation and implementation of drainage, erosion, and sedimentation control plans and/or a Stormwater Pollution Prevention Plan (SWPPP) if over an acre of disturbance is proposed. No additional mitigation measures are necessary.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project is not located in an area of known hazardous material contamination. The project is not within the Airport Review area. The project is within a high severity risk area for fire and is located approximately eight to ten minutes from the closest CDF/San Luis Obispo County Fire Station. The project is required to comply with all fire safety rules and regulations including access road and driveway specifications, water storage facilities for each existing and proposed structure, and fuel modification for fire prevention purposes (Gilbert R. Portillo; August 27, 2004).

Mitigation/Conclusion. Based on the above discussion, and compliance with fire safety rules and regulations, no impacts as a result of hazards or hazardous materials are anticipated, and no additional mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located adjacent to Halcyon Road (arterial), Zenon Way and Viejo Road (local roads), all of which generate minimal noise in the area. The proposed building area is located outside of the 60Ldn noise contour for adjacent roadways. The proposed project will not generate or be exposed to significant stationary or transportation-related noise sources.

Mitigation/Conclusion. No significant noise impacts are anticipated and no specific mitigation measures are necessary.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create the need for substantial new housing in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Use substantial amount of fuel or energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Implementation of the proposed parcel map would result in the construction of a new residence east of the Palo Mesa area. The future development would not displace existing housing or people, or use a substantial amount of fuel or energy to construct and maintain. No significant population and housing impacts are expected to occur as a result of the proposed parcel map.

In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Mitigation/Conclusion. Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project. No significant population and housing impacts are anticipated, and no other mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES -
*Will the project have an effect upon,
 or result in the need for new or
 altered public services in any of the
 following areas:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project site is served by the California Department of Forestry and the County Sheriff as the primary emergency responders. The closest CDF fire station is the Mesa station, located approximately four miles from the proposed project. The Arroyo Grande fire department is located approximately five and a half miles from the project site. The closest Sheriff substation is in Oceano located approximately six miles from the proposed project site. The project site is located within the Lucia Mar Unified School District. This proposed project, along with numerous others in the area would have a cumulative effect on police/sheriff and fire protection, and schools.

Mitigation/Conclusion. Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address this impact and will reduce the cumulative impact to a level of insignificance. Given the closer proximity the CDF station and the small size of the development, potential impacts to the Arroyo Grande fire department are not significant and do not warrant mitigation.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11. RECREATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Trails Plan shows a future trail located along the property frontage west of Zenon Way on proposed Parcel 2. The proposed project was referred to the County Department of General Services Parks Division for review.

Impact. Implementation of the proposed parcel map and future build-out and occupation of a new residence would contribute to the local and cumulative demand for recreational resources in San Luis Obispo County.

Mitigation/Conclusion. To mitigate for cumulative impacts to recreational resources, the applicant has agreed to install a trail along the west side of Zenon Road to the County's A-1(x) standard, and pay Quimby and Building Division fees as required by the County Parks Division (Jan DiLeo; September 28, 2004) (refer to Exhibit B).

12. TRANSPORTATION/ CIRCULATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

12. TRANSPORTATION/ CIRCULATION - *Will the project:*

Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablei) *Other:* _____☐☐☐☐

Setting. The proposed project includes construction of a private driveway located off of Halcyon Road (which is an arterial extending west to Highway 1 and terminating at the project site). The roads in the project area are operating at acceptable levels of service.

Impact. Future development of Parcel 2 is estimated to generate a total of sixteen daily vehicle trips, or ten daily vehicle trips per residence and six daily trips per secondary residence (Institute of Traffic Engineers). This small amount of additional traffic would not result in a significant change to the existing road service levels or traffic safety. It is expected that approximately half of these trips would head south to Nipomo and Santa Maria, and the other half to the Five-Cities area to the north. Of the Five-Cities trips it is expected that up to half, or eight trips, would go into the City of Arroyo Grande.

The proposed project was referred to the County Public Works Department for review (Mike Goodwin; September 3, 2004). The Department requires standard road improvements including widening Halcyon along the southern property frontage to a 60-foot dedicated right-of-way, improving Zenon Way to a 50-foot dedicated right-of-way, and improving Viejo Road to a 40 foot right-of-way. A easterly realignment of Zenon Way is proposed by the applicant.

The Public Works Department is currently consulting with the California Department of Transportation (Caltrans) regarding future improvements to the Highway 101 and Tefft Street interchange. Based on traffic calculations and analysis completed by the Public Works Department, the Level of Service at the Highway 101 and Tefft Street interchange is LOS D (Richard Marshall; April 8, 2005). All existing roadways and intersections affected by the proposed project are currently operating at acceptable levels of service for urban roadways.

The continued development of the South County area, including the proposed project, would increase the traffic demands on the Highway 101 and Tefft Street interchange. Based on consultation with the Public Works Department, the Level of Service at the interchange would decrease to LOS F under the cumulative build-out scenario. The County has developed the South County Road Fee Program to collect fees to be used towards road improvement projects within South County, including future improvements to the Highway 101 and Tefft Street interchange and potential future improvements of a Willow Road/Highway 101 interchange.

Mitigation/Conclusion. The proposed project is located within the South County Fee Area. Prior to issuance of permits for future land uses on the project site, the applicant would be required to contribute to the South County fee program. The fees contributed to the South County program would partially finance the implementation of improvements to the Highway 101 and Tefft Street interchange, and future construction of a Willow Road and Highway 101 interchange, and mitigate cumulative impacts resulting from future development. Implementation of these measures would mitigate potential impacts to less than significant, and no additional mitigation measures are required. While a portion of half of the expected daily trips (8 ADT) could reach the City of Arroyo Grande, this small amount would not have a significant effect on City streets.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Adversely affect community wastewater service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Future development of the project site would include the installation of an on-site individual wastewater system. Based on the Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type where the on-site wastewater system will be placed is Oceano sand. Based on the NRCS Soil Survey, the main limitations of this soil for wastewater effluent include:

Poor filtering characteristics. This characteristic indicates that due to the very permeable soil, without special engineering, larger separations will be required between the leach lines and the groundwater basin to provide adequate filtering of the effluent.

Steep slopes. This characteristic indicates that portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. The proposed project site does not contain steep slopes and is not located near any steep slopes, therefore this characteristic is not applicable to the proposed project site.

The proposed project was referred to County Environmental Health and it was determined that individual wastewater systems, designed and constructed to meet County and State requirements, would be adequate to serve the proposed parcels (Laurie Salo; August 5, 2004).

Mitigation/Conclusion. Prior to final inspection of the wastewater system, the applicant will need to show compliance with the Central Coast Basin Plan, which should provide adequate measures to reduce potential impacts to less than significant levels.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Surface Water. The nearest source of surface water is Black Lake Canyon, located approximately 0.75 mile south of the proposed project site. If future development disturbs over one acre, a Stormwater Pollution Prevention Plan (SWPPP) would be required by the Regional Water Quality Control Board.

Water Usage. Future development would use existing on-site wells as the water source. One well would serve two parcels with Parcels 1 and 2 sharing and Parcels 3 and 4 sharing. The proposed project site is located within the Santa Maria groundwater basin, Tri-Cities Mesa sub-unit. Based on the most recent comprehensive study completed for this basin (State Department of Water Resources, "Water Resources of the Arroyo Grande-Nipomo Mesa Area", 2002), while extractions will increase above current levels over the next twenty years, the study concludes that "Supplies appear adequate to meet water demands through water year 2020". However, the study recognizes that there is a sizeable local pumping depression on the Nipomo Mesa that has changed the dynamics of flow between two sub areas (Santa Maria, Nipomo Mesa). The study warns that seawater intrusion could result from this existing pumping depression if water management practices are not changed in the future and this depression continues to grow. Also, due mainly to the absence of current evidence of seawater intrusion, DWR concludes that the basin is not in a state of overdraft. The report does recommend a number of measures to improve monitoring of the basin as well as increase the use of recycled water.

On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 for water supply in the Nipomo Mesa area, defined as the area subject to the 2.3% growth limit, as depicted in the Growth Management Ordinance. Effective immediately, the County Flood Control and Water Conservation District will implement improved well-monitoring and water quality monitoring programs for this area.

Impact.

Water Usage. The proposed project was referred to the County Environmental Health Division (Laurie Salo; August 5, 2004) for review and preliminary evidence of domestic water supply has been supplied. Prior to recordation of the map, an official well driller's report, well capacity testing, and water quality testing would be required. Implementation of the proposed project would not result in project-specific impacts to the water supply, but would contribute to the cumulative demand for resources.

Mitigation/Conclusion. The applicant would be required to submit an official well driller's report, well capacity testing, water quality testing, and consult with the Environmental Health Division regarding sharing of a domestic well (Laurie Salo; June 14, 2004). The applicant has agreed to submit all required water data to the County Environmental Health Division prior to final map recordation. In addition, construction plans for development on the proposed parcel must include indoor and outdoor

water conservation measures. Indoor water conservation measures would include: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Outdoor conservation measures include: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems. Based on implementation of these measures, impacts to water resources would be less than significant.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, South County area plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used). The proposed project site is within the Residential Rural land use category. Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF, Public Works, Parks, City of Arroyo Grande). The project is not within or adjacent to a Habitat Conservation Plan area. The proposed parcel split would create four lots and allow for residential construction on one parcel. Adequate on-site access and parking facilities are located on-site for existing residences. The proposed project is consistent or compatible with the surrounding uses because the parcel split with incorporation of mitigation measures, and future construction of a single-family residence on a 5-acre parcel would retain the rural character of the area.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

- | | | | | | |
|----|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) | <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) | <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	None
<input checked="" type="checkbox"/>	County Parks	Attached
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input checked="" type="checkbox"/>	NipomoCommunity Advisory Council	None
<input checked="" type="checkbox"/>	Other <u>County Addressing</u>	In File**
<input checked="" type="checkbox"/>	Other <u>City of Arroyo Grande</u>	Attached

** "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> South County (Inland) Area Plan
<u>County documents</u>	<input checked="" type="checkbox"/> South County Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Althouse and Meade, Inc. July 2004. *Preliminary Botanical Assessment for APN 075-232-016 and 019-063-002 at the Intersection of Halcyon Road and Zenon Way San Luis Obispo County.*

Althouse and Meade, Inc. October 2004. *Oak Tree Inventory and Mitigation Plan for APN 075-232-016 and 019-063-002 at the Intersection of Halcyon Road and Zenon Way San Luis Obispo County.*

Thor Conway. August 26, 2004. *Phase I Archaeological Surface Surveys At 1975 Viejo Road and 512 Zenon Way, Arroyo Grande, San Luis Obispo County.*

Exhibit B - Mitigation Summary Table

Air Quality

AQ-1 Prior to issuance of construction permits for development and soil disturbance (including roads), the applicant shall contact the APCD to determine applicability of air quality regulations for the project site regarding developmental burning and naturally occurring asbestos. The applicant shall submit an asbestos survey prepared by a qualified individual if required by the APCD. Contact Melissa Guise of the San Luis Obispo County APCD at 781-4667.

Biological Resources

BR-1 Prior to issuance of construction permits, the applicant shall clearly show on the project plans the type and location of tree protection measures to be employed. All trees to remain on or off-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas when possible. During grading in the root zone, care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

BR-2 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

BR-3 Prior to issuance of construction permits, the *Oak Tree Inventory and Mitigation Plan* (Althouse and Meade; October 2004) shall be revised to provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project (11 removed, forty-four replaced), and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed (thirty-nine impacted, seventy-eight replaced). No additional oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than thirty-nine oak trees shall be impacted, but not removed, as a result of the development of the project. The plan shall be further revised to require monitoring of replacement areas for at least seven years.

BR-4 To guarantee the success of the new trees, the applicant shall adhere to the *Oak Tree Inventory and Mitigation Plan* (Althouse and Meade; October 2004), revised as required in BR-3. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any

necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

- BR-5 Prior to map recordation**, the applicant shall enter into a conservation easement with the County in perpetuity for the areas specified on attached Exhibit C (100-foot wide area on Parcel 2 located 50 feet west of Zenon Way and 50 feet north of Halcyon Road). **The easement shall be shown on all project plans.** The intent of the conservation easement is primarily to protect the existing coast live oak trees and allow reestablishment of sensitive native understory. All allowed activities or uses within this open space area shall be limited to what is specified in the easement, and shall be passive in nature and not adversely impact the identified sensitive biological resources. All hoofed animals (grazing) shall be excluded from these areas (sturdy fencing shall be installed as necessary to protect sensitive areas). To avoid potential modification or removal of sensitive vegetation for fire protection, all applicable structures shall be setback from the edge of the conservation easement area the distance recommended by CDF. This setback shall be **shown on all applicable future construction plans.**
- BR-6 Throughout the life of the project**, there shall be no cutting, alteration or disturbance of the conservation easement or oak tree replanting area, with the exception of site preparation and weeding within the oak tree replanting area under direction of a qualified restoration specialist. Future development on Parcel 1 (remodeling, additions, secondary structures, etc) shall be restricted to existing disturbed areas and no oak tree impacts or removals shall occur.
- BR-7 If grading and construction activities occur during the nesting season (March 1 through September 1)**, to avoid impacts to nesting birds, the applicant shall retain a County-approved qualified biologist to conduct nesting bird surveys immediately prior to site disturbance. If nesting birds are discovered, all construction activity within a 500-foot buffer for listed bird species nests and a 100-foot buffer for other non-listed bird nests shall halt until the chicks have fledged or left the area.

Recreation

- R-1 Prior to recordation of the final map**, the applicant shall provide a trail easement along the west side of Zenon Road to the County's A-1(x) standard subject to the review and approval of the County Parks Division. Construction is **not** required as part of this condition.
- R-2 Prior to recordation of the final map**, the applicant shall pay applicable Quimby and Building Division Fees.

Wastewater

- WW-1 Prior to recordation of the final map**, the applicant shall submit the results of soil borings and percolation testing at leach line location showing that there is adequate separation and percolation rates, or plans for an engineered wastewater system that shows how the basin plan criteria can be met would be required prior to issuance of construction permits.

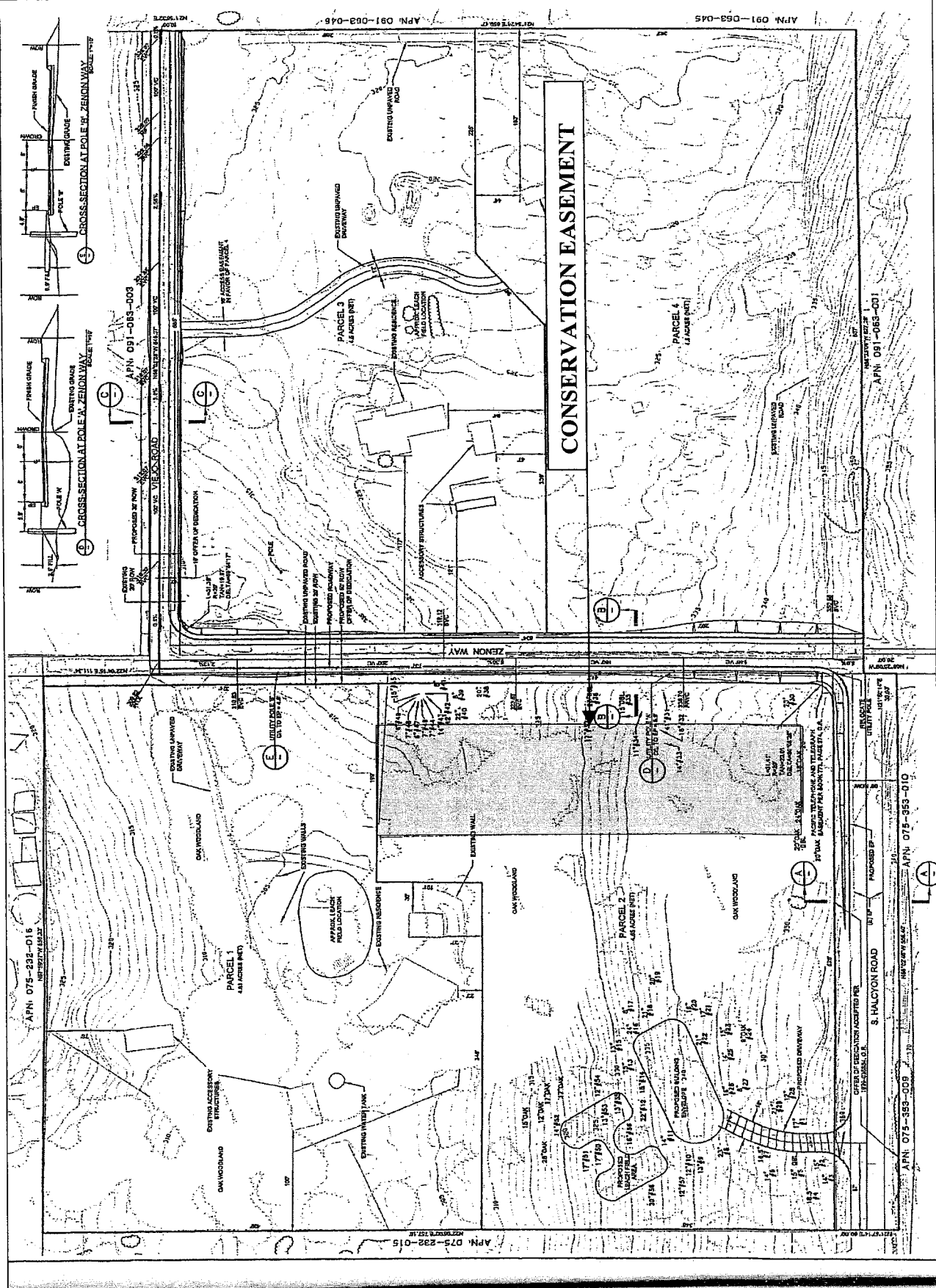
Water

- W-1 Prior to recordation of the final map**, the applicant shall submit an official well driller's report (construction log), well capacity testing, and water quality testing to the County Department of

Environmental Health for review and approval. The applicant shall consult with the County Department of Environmental Health regarding approval of a shared well system.

- W-2 Prior to issuance of building permits for development on the proposed parcels,** proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

EXHIBIT C-



**DEVELOPER'S STATEMENT FOR THE
DANIELS PARCEL MAP; SUB2004-00046 CO04-0209**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

AIR QUALITY

AQ-1 Prior to issuance of construction permits for development and soil disturbance (including roads), the applicant shall contact the APCD to determine applicability of air quality regulations for the project site regarding developmental burning and naturally occurring asbestos. The applicant shall submit an asbestos survey prepared by a qualified individual if required by the APCD. Contact Melissa Guise of the San Luis Obispo County APCD at 781-4667.

Monitoring: The Department of Planning and Building, in consultation with the APCD, shall verify implementation of required measures.

BIOLOGICAL RESOURCES

BR-1 Prior to issuance of construction permits, the applicant shall clearly show on the project plans the type and location of tree protection measures to be employed. All trees to remain on or off-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas when possible. During grading in the root zone, care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

Monitoring: The Department of Planning and Building shall verify compliance.

BR-2 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much

more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Monitoring: The Department of Planning and Building shall verify compliance.

- BR-3** Prior to issuance of construction permits, the *Oak Tree Inventory and Mitigation Plan* (Althouse and Meade; October 2004) shall be revised to provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project (eleven removed, forty-four replaced), and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed (thirty-nine impacted, seventy-eight replaced). No additional oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than thirty-nine oak trees shall be impacted, but not removed, as a result of the development of the project. The plan shall be further revised to require monitoring of replacement areas for at least seven years.

Monitoring: The Department of Planning and Building shall verify receipt and implementation of revised tree replacement plan.

- BR-4** To guarantee the success of the new trees, the applicant shall adhere to the *Oak Tree Inventory and Mitigation Plan* (Althouse and Meade; October 2004), revised as required in BR-3. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

Monitoring: The Department of Planning and Building shall verify compliance through receipt of monitoring reports.

- BR-5** Prior to map recordation, the applicant shall enter into a conservation easement with the County in perpetuity for the areas specified on attached Exhibit C (100-foot wide area on Parcel 2 located 50 feet west of Zenon Way and 50 feet north of Halcyon Road). **The easement shall be shown on all project plans.** The intent of the conservation easement is primarily to protect the existing coast live oak trees and allow reestablishment of sensitive native understory. All allowed activities or uses within this open space area

shall be limited to what is specified in the easement, and shall be passive in nature and not adversely impact the identified sensitive biological resources. All hoofed animals (grazing) shall be excluded from these areas (sturdy fencing shall be installed as necessary to protect sensitive areas). To avoid potential modification or removal of sensitive vegetation for fire protection, all applicable structures shall be setback from the edge of the conservation easement area the distance recommended by CDF. This setback shall be **shown on all applicable future construction plans**.

Monitoring: The Department of Planning and Building shall verify compliance.
The Department of Planning and Building shall verify establishment of conservation easement.

BR-6 Throughout the life of the project, there shall be no cutting, alteration or disturbance of the conservation easement or oak tree replanting area, with the exception of site preparation and weeding within the oak tree replanting area under direction of a qualified restoration specialist. Future development on Parcel 1 (remodeling, additions, secondary structures, etc) shall be restricted to existing disturbed areas and no oak tree impacts or removals shall occur.

Monitoring: The Department of Planning and Building shall verify compliance.

BR-7 If grading and construction activities occur during the nesting season (March 1 through September 1), to avoid impacts to nesting birds, the applicant shall retain a County-approved qualified biologist to conduct nesting bird surveys immediately prior to site disturbance. If nesting birds are discovered, all construction activity within a 500-foot buffer for listed bird species nests and a 100-foot buffer for other non-listed bird nests shall halt until the chicks have fledged or left the area.

Monitoring: The Department of Planning and Building shall verify compliance.

RECREATION

R-1 Prior to recordation of the final map, the applicant shall provide a trail easement along the west side of Zenon Road to the County's A-1(x) standard subject to the review and approval of the County Parks Division. Construction is **not** required as part of this condition.

Monitoring: The Department of Planning and Building, in consultation with the County Parks Division, shall verify compliance.

- R-2 Prior to recordation of the final map,** the applicant shall pay applicable Quimby and Building Division Fees.

Monitoring: The Department of Planning and Building, in consultation with the County Parks Division, shall verify compliance.

WASTEWATER

- WW-1 Prior to recordation of the final map,** the applicant shall submit the results of soil borings and percolation testing at leach line location showing that there is adequate separation and percolation rates, or plans for an engineered wastewater system that shows how the basin plan criteria can be met would be required prior to issuance of construction permits.

Monitoring: The Department of Planning and Building shall verify receipt of soil boring and percolation testing results to Environmental Health.

WATER

- W-1 Prior to recordation of the final map,** the applicant shall submit a twelve hour pump test to prove adequate production of the proposed shared well to the County Department of Environmental Health for review and approval.

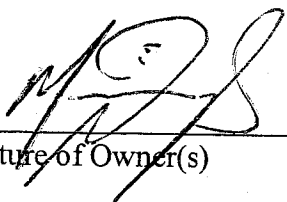
Monitoring: The Department of Planning and Building shall verify receipt of pump test results to Environmental Health.

- W-2 Prior to issuance of building permits for development on the proposed parcels,** proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

Monitoring: The Planning and Building Department shall verify conservation measures on construction plans, and implementation in the field.

Date: July 11, 2005

The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.



Signature of Owner(s)7/13/05

DateMARK E. DANIELS

Name (Print)



BR
544
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

AUG 11 2004

VICTOR HOLANDA, AICP
DIRECTOR

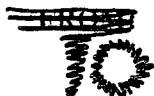
THIS IS A NEW PROJECT REFERRAL

DATE:

8/10/04

FROM

PCW



South Co. Team
(Please direct response to the above)

Daniels
SUB2004-00046
Project Name and Number

Development Review Section (Phone: 781-788-2009) ()

PROJECT DESCRIPTION:

Parcel map. Subdivision of 2 parcels,
20 acres divided into (4) 5-acre parcels. In Arroyo
Grande, off Zenon way & Viejo Rd. SW of Hwy. 101.
See maps...

Return this letter with your comments attached no later than:

8/24/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which
we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF
REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to
reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of
approval you recommend to be incorporated into the project's approval, or state reasons for
recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND APPROVAL - 3 LOTS ATTACHED

WE ARE ASKING FOR A BIT MORE ROAD IMPROVEMENT THAN EDA SHOWS ON MAP.

PIPELINE EASEMENT LISTED AS EXCEPT #3 IN TITLE REPORT NOT SHOWN, PT&T EASEMENT ALSO
NOT SHOWN BUT PROBABLY IN ROLDS.

03 SEPT 2004
Date

GOODWIN
Name

5252
Phone



5-45
County of San Luis Obispo • Public Health Department

Environmental Health Services

2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

Curtis A. Batson, R.E.H.S.
Director

August 5, 2004

RECEIVED

AUG 06 2004

EDA

EDA Design Professionals
1998 Santa Barbara Street, Suite 200
San Luis Obispo, CA 93401

ATTN: GLENN RIDER
RE: TENTATIVE PARCEL MAP CO 04-0209 (DANIELS)

Water Supply

This office is in receipt of onsite water well information for the above referenced subdivision map. Said information is considered satisfactory preliminary evidence of a domestic water supply.

Be advised that comprehensive water well documentation and testing will be required prior to approving the map for recordation. Adequate documentation will include an official well driller's report (construction log), well capacity testing, and water quality testing. Any proposal to share a domestic water well would require consultation with Division staff. Please find enclosed the Division's requirements for approving a shared well system.

Wastewater Disposal

Individual wastewater disposal systems are considered an acceptable method of disposal provided County and State installation requirements can be met.

CO 04-0209 is approved for Environmental Health subdivision map processing.

Laurie A. Salo

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

c: Kami Griffin, County Planning
Mark Daniels, Owner



MEMO

TO: South County Team

FROM: Jan Di Leo

DATE: September 28, 2004

RE: **Daniels (SUB 2004-00046)**

This memo is regarding the Daniels subdivision located at the corner of Viejo Road and Zenon Way in the community of Arroyo Grande. As proposed, the project would split 2 parcels into 4 parcels. The project is located east and west of Zenon Way.

The Board adopted 1991 County Trails Plan identifies a trail corridor along Zenon Way in the project's vicinity. As a result, Parks Division would recommend the following conditions:

1. The applicant shall pay Quimby Fees and applicable Building Division Fees.
2. Prior to recordation of the project's final map or approval of the project's improvement plans (whichever occurs first), the applicant shall provide a trail corridor along Zenon Way consistent with the County's A-1 (x) detached trail standard. Trail construction is **not** required as a part of this condition. The intent of this condition is to locate a trail on the west side of Zenon Way. If the proposed trail corridor cannot be accommodated within the Zenon Way road right-of-way, the applicant shall dedicate a trail easement on their property. The location of the trail shall be reviewed and approved by County Parks prior to final map clearance or approval of the project's improvement plans (whichever occurs first).

If you have any questions or concerns please contact me at 781-4089. If you change the project's conditions please let me know. Thanks!

cc: Mark Daniels, P.O. Box 297, Pismo Beach, CA 93449
EDA, 1998 Santa Barbara Street, San Luis Obispo, CA 93401
Ride Nipomo



**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

3P

5-47

DATE: August 23, 2004

TO: South County Team
San Luis Obispo County Department of Planning and Building

FROM: Melissa Guise *MAG*
San Luis Obispo County Air Pollution Control District

SUBJECT: Daniels Parcel Split (SUB2004-00046)

This project, like many others, falls below our emissions significance thresholds and is, therefore, unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are very concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan, which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density residential development 20 acres or larger parcel size.

The District understands that under the County's Land Use Ordinance parcels within the Residential Rural category can be subdivided to a minimum lot size of five acres. We also recognize that there are significant human-interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is important to emphasize to decision makers that subdivision and future development on these, and similar rural parcels throughout the county allows a pattern of development to continue that is ultimately unsustainable. Such development cumulatively contributes to existing stresses on air quality, circulation and other natural and physical resources and infrastructure that cannot be easily mitigated. We do not support this type of development.

One possible solution to this dilemma is a workable Transfer Development Credit (TDC) Program, which would encourage more compact development in urban areas and away from environmentally sensitive land, land with agricultural capability or antiquated subdivisions. We do believe, however, it is important to carefully select receiver and sender sites so the ultimate goal of increasing densities in urban areas is achieved. As currently structured, the TDC Program does not assure that receiver sites are located within or bordering the URL, therefore, promoting further growth in areas outside the URL. The District recommends changes to the TDC Program to assure long-term sustainable development.

If this project continues to move forward against our recommendation, the project proponent should contact the APCD regarding local, state, and federal air quality regulations (e.g., Developmental Burning, Demolition, and Naturally Occurring Asbestos) brought on by construction and operational activities.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-4667.

MAG/sll

h:\oisp\plan\response\2909.doc

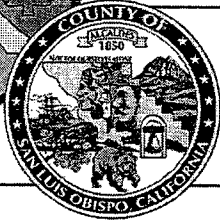
BP

5-48

RECEIVED

AUG 30 2004

Planning & Bldg



CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

August 27, 2004

County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # Daniels/SUB 2004-00046

Dear South County Team,

I have reviewed the referral for the parcel map plans for the proposed four parcel subdivision project located at 512 Zenon Way and 1975 Viejo Rd., Arroyo Grande. This project is located approximately 8-10 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires.

It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - Parcels less than 1 acres 800 feet
 - Parcels 1 acre to 4.99 acres 1320 feet
 - Parcels 5 acres to 19.99 acres 2640 feet
 - Parcels 20 acres or larger 5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.

- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☐ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Gilbert R. Portillo
Fire Inspector

cc: Mr. Mark Daniels, owner
EDA Designs, agent



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

RECEIVED

AUG 11 2004

CITY OF ARROYO GRANDE
PLANNING & BUILDING DEPT.

THIS IS A NEW PROJECT REFERRAL

DATE: 8/10/04

TO: City of A.G.

FROM: South Co. Team
(Please direct response to the above)

Daniels
SUB2004-00046
Project Name and Number

Development Review Section (Phone: 781-788-2009) ()

PROJECT DESCRIPTION: Parcel map. Subdivision of 2 parcels, 20 acres divided into (4) 5-acre parcels. In Arroyo Grande, off Zenon Way & Viejo Rd. SW of Hwy. 101. See maps...

Return this letter with your comments attached no later than: 8/24/04

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

X

YES (Please go on to Part II)

NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

X

NO (Please go on to Part III)

YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

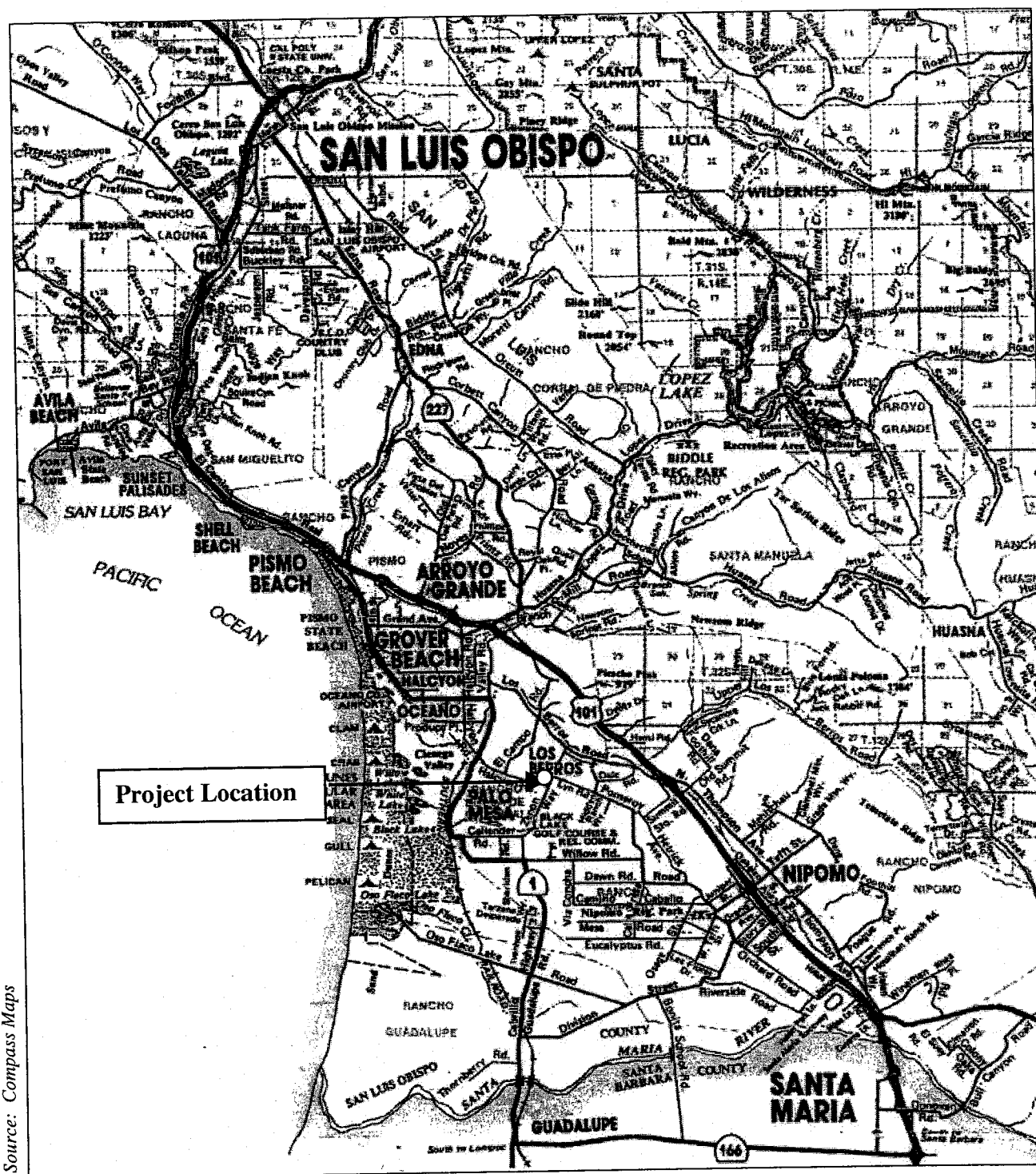
PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

City okay with 5 ac. parcels in RR subject to applicant paying traffic and fire impact fees to both City and County.

Aug. 13, 2004
Date

Rob Strong
Name

Phone



Source: Compass Maps

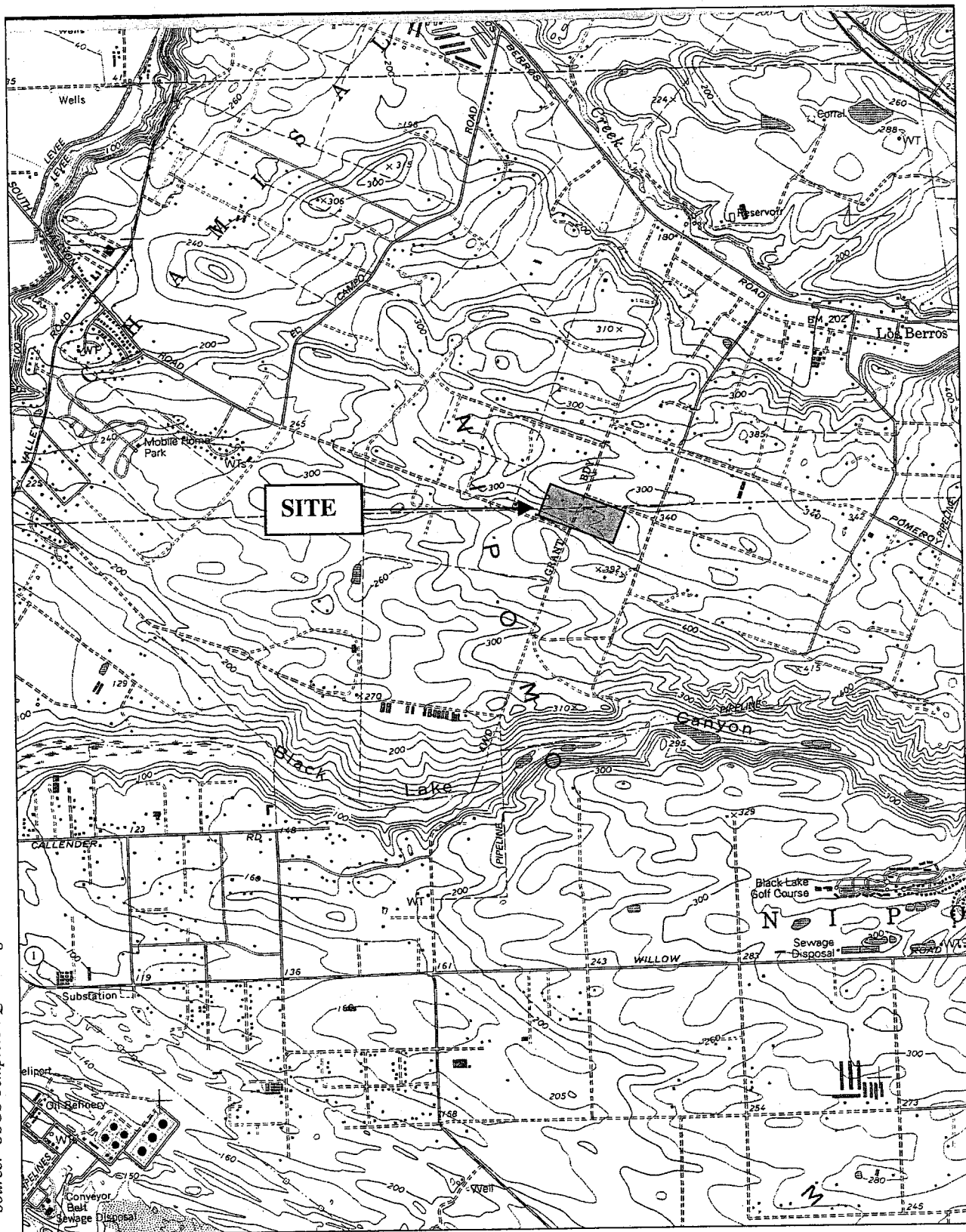


NORTH
Not to Scale

Morro Group, Inc.

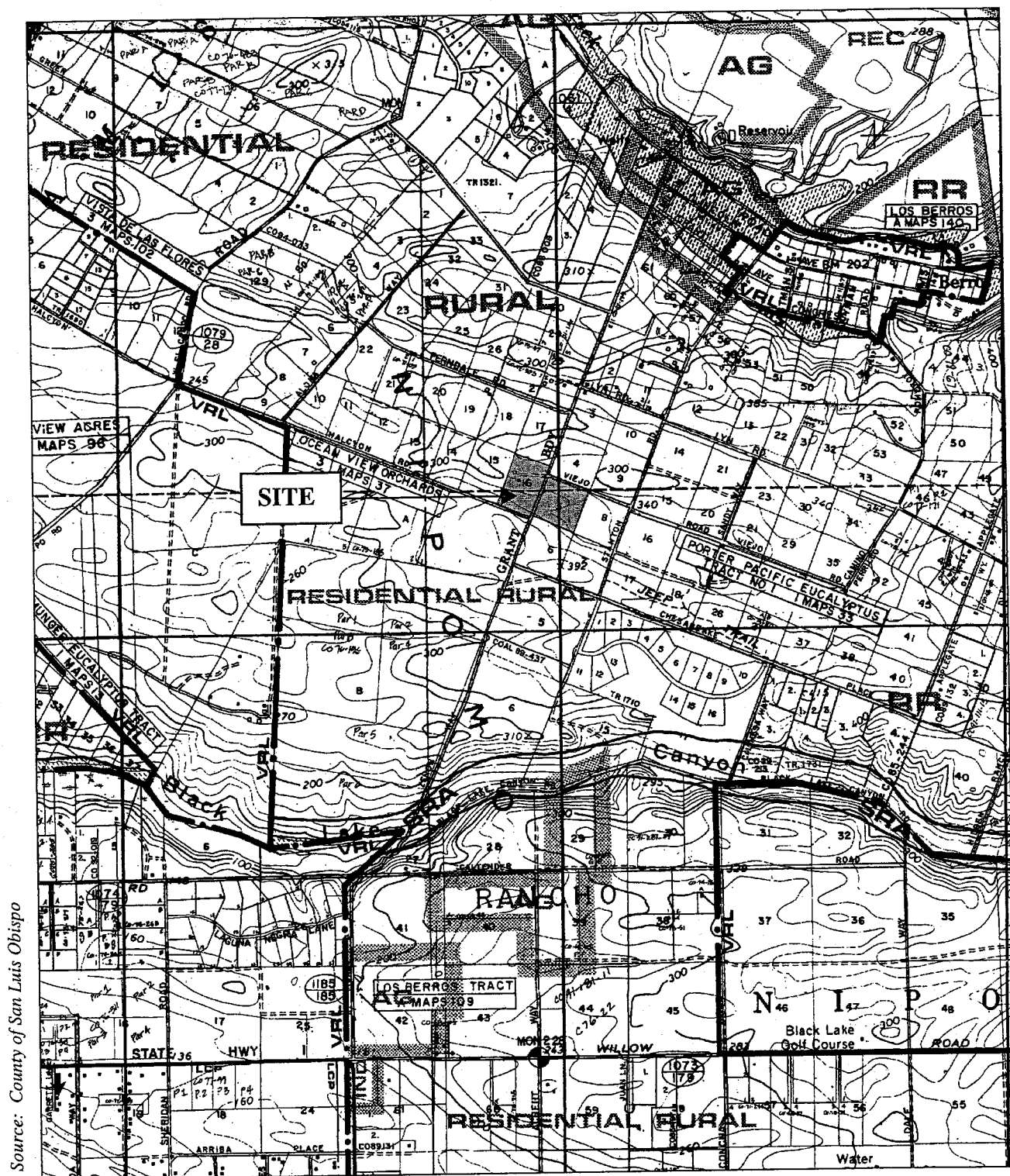
VICINITY MAP
FIGURE 1

Source: USGS Templeton Quadrangle: Oceano



NORTH
Not to Scale

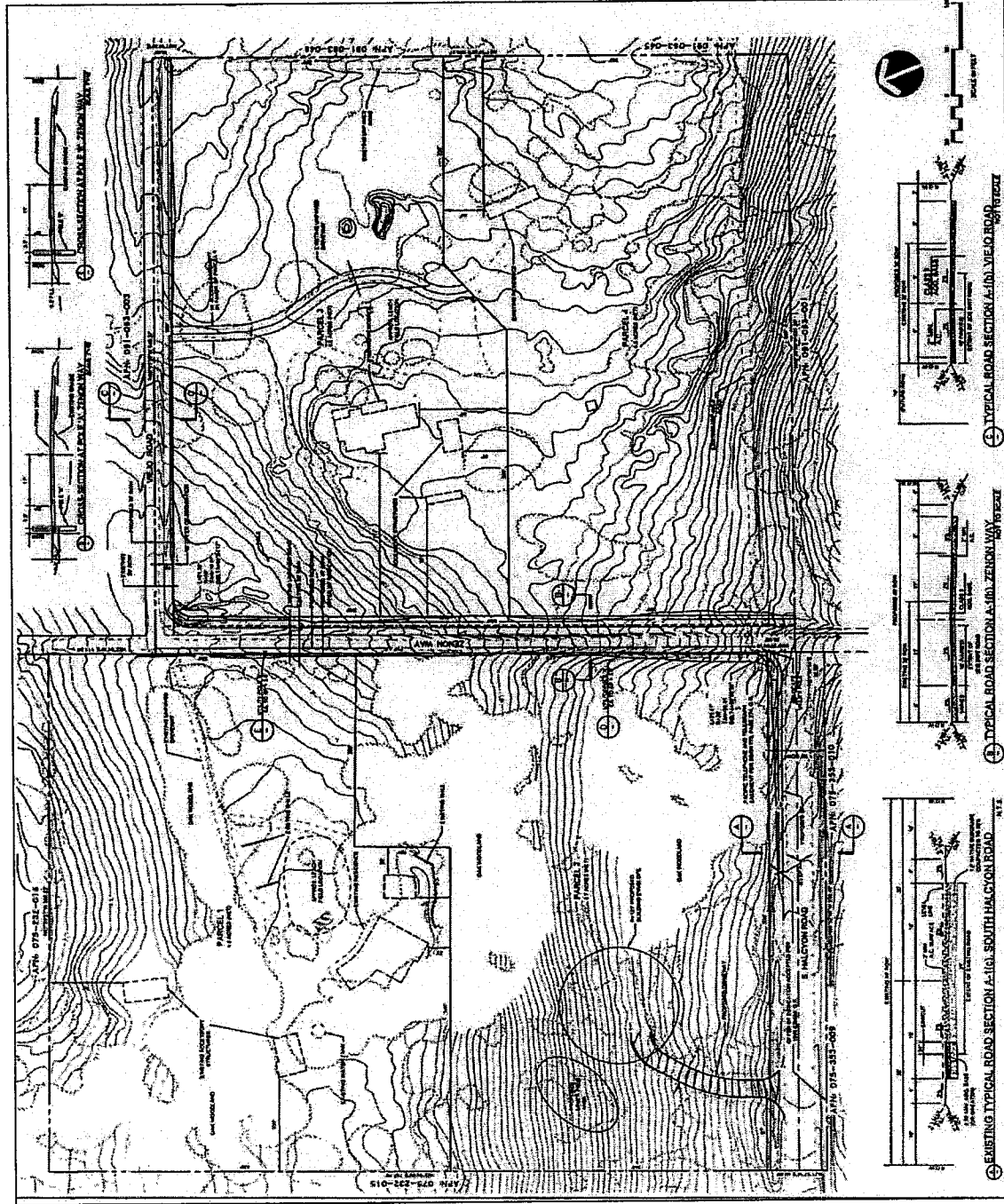
USGS MAP
FIGURE 2



NORTH
Not to Scale

Morro Group, Inc.

LAND USE CATEGORY MAP
FIGURE 3



Source: EDA



NORTH
Not to Scale

Morro Group, Inc.

PARCEL MAP
FIGURE 4

5-5A

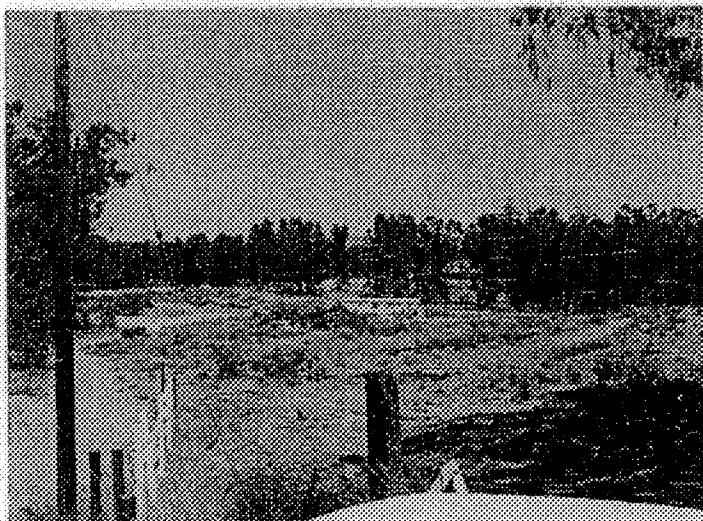


Photo 1:
Viewing east
across Parcel B
(proposed Parcels
3 and 4). Zenon
Road is dirt road
on left of photo.

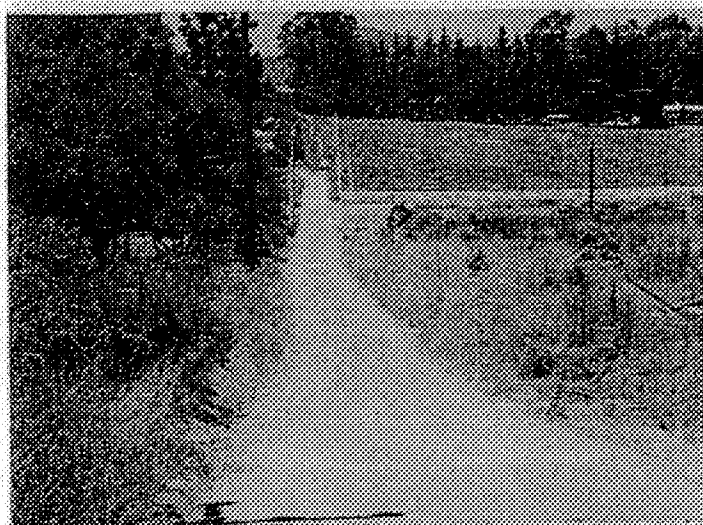


Photo2:
Viewing north
along Zenon Way.
Parcel A
(proposed Parcels
1 and 3) is to the
left of Zenon
Road.



Photo 3:
Proposed driveway
location for Parcel
2, as seen from
Halcyon Road.

Source: Althouse & Meade

**PHOTO DOCUMENTATION
FIGURE 5**

